

FILED
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IN THE UNITED STATES DISTRICT COURT
CENTRAL DIVISION, DISTRICT OF UTAH

THE SCO GROUP INC.	:	Case No. 2:03cv00294 DK
	:	
	:	
Plaintiff/Counterclaim-	:	ORDER GRANTING IBM'S EX
Defendant,	:	PARTE MOTION FOR LEAVE TO
	:	FILE A RESPONSE TO SCO'S
vs.	:	SUPPLEMENTAL MEMORANDUM
	:	REGARDING DISCOVERY AND
INTERNATIONAL BUSINESS MACHINES	:	STRIKING HEARING DATE
CORP.	:	
	:	Judge Dale A. Kimball
Defendant/Counterclaim-	:	
Plaintiff.	:	Magistrate Judge Brooke C.
	:	Wells

On September 3, 2004, the court granted SCO Group's ex parte motion for leave to file a supplemental memoranda regarding discovery. See Docket no. 270. On September 8, 2004, IBM filed an ex parte motion for leave to file a response to SCO's supplemental memorandum regarding discovery. Coupled with this motion is IBM's request to continue the motion hearing set for September 14, 2004 to allow the filing of a response.

The court HEREBY GRANTS IBM's motion. IBM will have until September 24, 2004 to file a response to SCO Group's supplemental

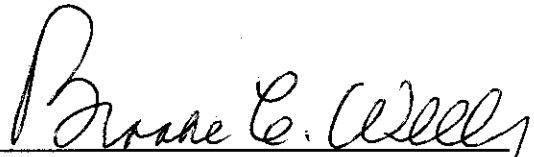
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memoranda regarding discovery. SCO Group will then have until October 1, 2004 to file a reply if warranted. No further briefing will then be permitted by the court on SCO Groups's discovery motion. Any remaining issues the parties wish to raise will be heard during oral argument.

The court HEREBY STRIKES the hearing originally scheduled for September 14, 2004. The hearing will be rescheduled for Tuesday October 19, 2004 at 10:00 a.m. At this hearing, the court will hear arguments regarding SCO Group's motion to compel discovery, including any additional issues raised by the second round of briefing and IBM's motion to strike the declaration of Christopher Sontag.

DATED this 10th day of September, 2004.

BY THE COURT:


BROOKE C. WELLS
United States Magistrate Judge

blk

United States District Court
for the
District of Utah
September 10, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

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